

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

VICTOR CORRAL,

Plaintiff,

v.

Civ. No. 24-1206 WJ/GBW

STATE OF NEW MEXICO

9TH JUDICIAL DISTRICT, *et al.*,

Defendants.

ORDER TO CURE DEFICIENCY AND ORDER DENYING
MOTION FOR HEARING


THIS MATTER is before the Court on Plaintiff's first and second Motions and Affidavits for Leave to Proceed Pursuant to 28 U.S.C. § 1915 ("IFP Motions"), *docs. 2, 4*, and Plaintiff's Motion for Hearing, *doc. 5*. Plaintiff is incarcerated and proceeding *pro se*. Plaintiff's IFP Motions do not attach a six-month inmate account statement as required by 28 U.S.C. § 1915(a)(2). *See docs. 2, 4*. Plaintiff shall cure this deficiency within thirty (30) days of entry of this Order. All filings must include the case number (No. 24-cv-1206-WJ-GBW) and be labeled as legal mail. The failure to timely submit a six-month account statement will result in dismissal without further notice. Plaintiff is further warned that his Notice of Proof of Payment ("Notice") (*doc. 7*) will not excuse the requirements of § 1915 or this Order. The Notice reflects Plaintiff paid the \$5.00 habeas filing fee in a separate case, No. 24-cv-1309-KG-GJF. However, the requirements of §

1915 apply each time a prisoner brings a civil action. *Bruce v. Samuels*, 577 U.S. 82, 83 (2016).

As to the Motion for Hearing, such relief will be denied without prejudice. Before conducting any hearings, the Court must screen Plaintiff's Amended Prisoner Civil Rights Complaint (*doc. 3*) to determine whether it states a cognizable claim under 28 U.S.C. § 1915(e) and Fed. R. Civ. P. 12(b)(6). If the case survives initial review and any dispositive motions, and afterward a hearing is necessary, the Court will issue its own order setting a hearing date.

IT IS THEREFORE ORDERED that within **thirty (30) days of entry of this Order**, Plaintiff shall file an inmate account statement reflecting transactions for a six-month period.

IT IS FURTHER ORDERED that Plaintiff's Motion for Hearing (*doc. 5*) is DENIED WITHOUT PREJUDICE.



GREGORY B. WORMUTH
CHIEF UNITED STATES MAGISTRATE JUDGE